

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

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|---------------------------|---|-----------|
| YUSEF LATEEF JACKSON, |) | |
| |) | |
| Movant, |) | |
| |) | CV410-165 |
| v. |) | CV408-110 |
| |) | CR406-258 |
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Respondent. |) | |

REPORT AND RECOMMENDATION

Yusef Jackson again moves to vacate, set aside, or correct his conviction under 28 U.S.C. § 2255. CV406-258, doc. 123. Just a few months ago, the Eleventh Circuit told him “no” when, pursuant to 28 U.S.C. § 2255(h) and 2244(b)(3)(A), he filed an application seeking an order authorizing the district court to consider a second or successive § 2255 motion. Doc. 122. That followed his first § 2255 motion here. Doc. 107 (motion); doc. 113 (judgment denying relief); doc. 124 (Certificate of Appealability denied by Eleventh Circuit).

In Jackson’s latest § 2255 motion, he acknowledges his first bite at the § 2255 apple, doc. 123 at 2, but neglects to mention his second.

Moreover, he has not complied with the signature requirement imposed by the Rules Governing § 2255 Proceedings, Rule 2(b)(5). *Id.* at 6. No matter, his latest is clearly successive. So directing him to comply with Rule 2(b)(5) would be a waste of time.

By his previous actions Mr. Jackson knows that he must seek and *obtain* the approval of the Eleventh Circuit Court of Appeals before filing a successive § 2255 motion challenging his conviction for unlawful possession of a firearm by a convicted felon. Absent such authorization by the Court of Appeals, this Court is powerless to consider any additional collateral attacks upon that conviction. 28 U.S.C. § 2255(h); *see also* Rules Governing § 2255 Proceedings, Rule 9. Thus, his latest § 2255 motion, doc. 123, should be **DENIED**.

SO REPORTED AND RECOMMENDED this 28th day of July, 2010.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA